



THE UNITED STATES PATENT AND TRADEMARK OFFICE

*T.C.*  
*9-6-91*  
*#3/Petition*  
*to*  
*make*  
*Special*

Application of:

Atty's. Docket No.

Schulein, Jr., B. M. and  
Polson, J.E.

Examiner: Not Yet Accorded

Serial No. 07/724,601

Filed: July 2, 1991

Group Art Unit: Not known

For: ANIMAL LITTER BOX LINER

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

PETITION TO MAKE SPECIAL  
UNDER M.P.E.P. 708.02 IV

Dear Sir:

*T.C.*  
*9-18-91*  
*Heid*

Applicants respectfully petition to make the above-identified application Special under the provisions of M.P.E.P. 708.02 IV, on the basis of Applicant, Benjamin M. Schulein, Jr. being above the age of 65 years; having been born on September 1, 1923, as stated in the attached Declaration of Applicant.

The present case comprises seventeen (17) claims.

The present invention is concerned with an ANIMAL LITTER BOX LINER. A pre-examination search was not made by a professional searcher, as no such search is required for a Petition to Make Special on the basis of Applicant's age. However, art of which Applicants are aware has been discussed in the aforementioned application. Such art is conventional and widely available to the public.

It is believed that, upon consideration of the above art, the Examiner will find, after conducting his own search on this application, that it is the best art available, although none of

the above art bears any real similarity to Applicants' ANIMAL LITTER BOX LINER . Applicants' ANIMAL LITTER BOX LINER is a completely novel and commercially valuable device which is of simple construction and capable of being inexpensively produced.

It is believed, therefore, that an examination of the application attached hereto will show all seventeen (17) claims to be in allowable condition because these claims have been drafted in light of the art known. Because Applicants are desirous of expeditious prosecution of the above application, the Examiner is also authorized to contact Applicants' attorneys, whose telephone number is listed at the end of this petition.

Pursuant to 37 CFR 1.102(c), no fee accompanies this Petition.

It is respectfully suggested that Applicants have now complied with all of the provisions for making this application special and respectively request early action on the application and further indicate their desire to cooperate to the fullest possible extent to prosecute this application expeditiously.

In the event that any fee should be deemed in any way insufficient, the Patent and Trademark Office is hereby authorized to charge the additional fee to Deposit Account No.11-0160.

Respectfully submitted,  
Benjamin M. Schulein, Jr. and  
Joan E. Polsen

By: KALISH & GILSTER  
Attorneys for Applicant

Date: Sept. 3, 1991

Per:

Rebecca J. Brandau  
Rebecca J. Brandau  
Reg. No.33,654  
818 Olive St. - Suite 1600  
St. Louis, Missouri 63101  
(314) 436-1331

DECLARATION OF APPLICANT SCHULEIN

I, Benjamin M. Schulein, Jr. declare and say that I am a co-inventor and Applicant for Letters Patent for AN ANIMAL LITTER BOX LINER, application for which was filed on July 2, 1991, under U.S. Express Mail Certificate and assigned U.S. Serial No. 07/724,601, and, for purposes of filing the attached Petition to Make Special to obtain expedited processing for the application, further declare that I am greater than 65 years of age, having been born on September 1, 1923 in St. Louis, Missouri.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Aug 30, 1991 ✓

Benjamin M. Schulein Jr.  
Benjamin M. Schulein, Jr. ✓

a:ul



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on Sept 3, 1991.

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SEP 17 91  
GROUP 330

In Re Application of: Attorney Docket  
B.M. Schulein and J.E. Polsen

Serial No. 07/724,601

Filed: July 2, 1991

For: ANIMAL LITTER BOX LINER  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Transmitted herewith in subject application is:

- ☒ Petition to Make Special under MPEP 708.02 IV  
☐ Petition for Extension of Time and check for same  
☒ Other: Declaration of Applicant

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by verified statement previously submitted.

☐ Verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☒ No additional fee is required.

Filing fee has been calculated as shown below:

# Remaining Claims After Amendment	Highest # Previously Paid For	Total # Present Extra	\$ Rate for Small Entity	/OR/	\$ Rate for Large Entity
<u>TOTAL</u>					
<u>INDEPENDENT</u>			x10 = \$	/OR/	x20 = \$
			x30 = \$	/OR/	x60 = \$

☐ Please charge my Deposit Account No. 11-0160 in the amount of           . A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$            is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 11-0160. A duplicate copy of this sheet is enclosed.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

DATED: September 3, 1991

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